

FAX TRANSMITTAL COVER SHEET

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NAME: **Mail Stop RCE
Commissioner for Patents**

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FROM: **Michael W. Piper**

DATE: **September 3, 2004**

RE: **U.S. Patent Application Serial No. 09/645,759
Filing Date: August 25, 2000
Atty Docket 4040-04000
Request for Continued Examination
Transmittal Cover Sheet (1 page)**

Total Number of Pages (Including Cover Page): **3**

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PTO/SB/08 (08-03)

Approved for use through 07/31/2006. OMB 0651-0031

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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**Request
for
Continued Examination (RCE)
Transmittal**

Address to:
Mail Stop RCE
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Application Number	09/646,769
Filing Date	August 25, 2000
First Named Inventor	Howard W. DeMoore
Art Unit	3743
Examiner Name	Nguyen, Camtu Tran
Attorney Docket Number	4040-04000

This is a Request for Continued Examination (RCE) under 37 CFR 1.114 of the above-identified application.
Request for Continued Examination (RCE) practice under 37 CFR 1.114 does not apply to any utility or plant application filed prior to June 8, 1995, or to any design application. See Instruction Sheet for RCEs (not to be submitted to the USPTO) on page 2.

1. Submission required under 37 CFR 1.114 Note: If the RCE is proper, any previously filed unentered amendments and amendments enclosed with the RCE will be entered in the order in which they were filed unless applicant instructs otherwise. If applicant does not wish to have any previously filed unentered amendment(s) entered, applicant must request non-entry of such amendment(s).

a. Previously submitted. If a final Office action is outstanding, any amendments filed after the final Office action may be considered as a submission even if this box is not checked.

i. Consider the arguments in the Appeal Brief or Rely Brief previously filed on _____

ii. Other Response to Final Office Action filed June 7, 2004 _____

b. Enclosed

i. Amendment/Reply

ii. Affidavit(s)/ Declaration(s)

iii. Information Disclosure Statement (IDS)

iv. Other _____

2. Miscellaneous

Suspension of action on the above-identified application is requested under 37 CFR 1.103(c) for a

a. period of _____ months. (Period of suspension shall not exceed 3 months; Fee under 37 CFR 1.17(i) required)

b. Other _____

3. Fees

The RCE fee under 37 CFR 1.17(e) is required by 37 CFR 1.114 when the RCE is filed.

The Director is hereby authorized to charge the following fees, or credit any overpayments, to

a. Deposit Account No. 50-1515

i. RCE fee required under 37 CFR 1.17(e)

ii. Extension of time fee (37 CFR 1.136 and 1.17)

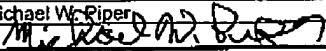
iii. Other _____

b. Check in the amount of \$ _____ enclosed

c. Payment by credit card (Form PTO-2038 enclosed)

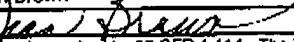
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SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT REQUIRED

Name (Print/Type)	Michael W. Piper	Registration No. (Attorney/Agent)	39,800
Signature		Date	September 3, 2004

CERTIFICATE OF MAILING OR TRANSMISSION

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Mail Stop RCE, Commissioner for Patents, P. O. Box 1450, Alexandria, VA 22313-1450 or facsimile transmitted to the U.S. Patent and Trademark Office on the date shown below.

Name (Print/Type)	Jean Brown	Date	September 3, 2004
Signature			

This collection of information is required by 37 CFR 1.114. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Mail Stop RCE, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

FEE TRANSMITTAL For FY 2004

Effective 10/01/2003. Patent fees are subject to annual revision.

Applicant claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT	\$ 440.00
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METHOD OF PAYMENT (Check all that apply)

Check Credit Card Money Order Other None

Deposit Account:
Deposit Account Number: 50-1515
Deposit Account Name: Conley Rose, P.C.

The Director is authorized to: (check all that apply)

Charge fee(s) indicated below
 Charge any additional fee(s) during the pendency of this application
 Charge fee(s) indicated below, except for the filing fee to the above-identified deposit account
 Credit any overpayments

FEE CALCULATION

1. BASIC FILING FEE

Large Entity	Small Entity	Fee	Fee	Fee	Fee Description	Fee Paid
Code (\$)	Code (\$)	Fee	Fee	Fee	Fee Description	Fee Paid
1001 770	2001 385	Utility filing fee				\$
1002 340	2002 170	Design filing fee				\$
1003 530	2003 265	Plant filing fee				\$
1004 770	2004 385	Reissue filing fee				\$
1005 160	2005 80	Provisional filing fee				\$

SUBTOTAL (1) \$

2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE

Total Claims	Independent Claims	Extra Claims	Fee from below	Fee Paid
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Independent Claims
Multiple Dependent

Large Entity	Small Entity	Fee	Fee	Fee	Fee Description
Code (\$)	Code (\$)	Fee	Fee	Fee	Fee Description
1202 18	2202 9	Claims in excess of 20			
1201 86	2201 43	Independent Claims in excess of 3			
1203 290	2203 145	Multiple dependent claim, if not paid			
1204 86	2204 43	** Reissue independent claims over original patent			
1205 18	2205 9	** Reissue claims in excess of 20 and over original patent			

SUBTOTAL (2) \$

** or number previously paid, if greater; For Reissues, see above

SUBMITTED BY

Complete if Known

Application Number	09/645,759
Filing Date	August 25, 2000
First Named Inventor	Howard W. DeMoore
Examiner Name	Nguyen, Camtu Tran
Art Unit	3743
Atty. Docket No.	4040-04000

FEE CALCULATION (continued)

3. ADDITIONAL FEES

Large Entity	Small Entity	Fee	Fee	Fee	Fee Description	Fee Paid
Code (\$)	Code (\$)	Fee	Fee	Fee	Fee Description	Fee Paid
1051 130	2051 65	Surcharge - late filing fee or oath				\$
1052 50	2052 25	Surcharge - late provisional filing fee or cover sheet				\$
1053 130	1053 130	Non-English specification				\$
1812 2,520	1812 2,520	For filing a request for ex parte reexamination				\$
18042 920*	1804 920*	Requesting publication of SIR prior to Examiner action				\$
1805 1,840*	1805 1,840*	Requesting publication of SIR after Examiner action				\$
1251 110	2251 55	Extension for reply within first month				\$55.00
1252 420	2252 210	Extension for reply within second month				\$
1253 950	2253 475	Extension for reply within third month				\$
1254 1,480	2254 740	Extension for reply within fourth month				\$
1255 2,010	2255 1,005	Extension for reply within fifth month				\$
1401 330	2401 165	Notice of Appeal				\$
1402 330	2402 165	Filing a brief in support of an appeal				\$
1403 280	2403 140	Request for oral hearing				\$
1451 1,510	1452 1,510	Petition to institute a public use proceeding				\$
1452 110	2452 55	Petition to revive - unavoidable				\$
1453 1,330	2453 665	Petition to revive - unintentional				\$
1501 1,330	2501 665	Utility issue fee (or reissue)				\$
1502 480	2502 240	Design issue fee				\$
1503 640	2503 320	Plant issue fee				\$
1460 130	1460 130	Petitions to the Commissioner				\$
1807 50	1806 50	Processing fee under 37 CFR 1.17(g)				\$
123 50	123 50	Petitions related to provisional applications				\$
1806 180	1806 180	Submission of Information Disclosure Stmt				\$
8021 40	8021 40	Recording each patent assignment per property (times number of properties)				\$
1809 770	2809 385	Filing a submission after final rejection (37 CFR § 1.129(a))				\$
1810 770	2810 385	For each additional invention to be examined (37 CFR § 1.129(b))				\$
1801 770	2801 385	Request for Continued Examination (RCE)	\$385.00			
1802 900	1802 900	Request for expedited examination of a design application				\$
Other fee (specify)						

*Reduced by Basic Filing Fee Paid

SUBTOTAL (3) \$440.00

Complete if applicable

Name (Print/Type)	Michael W. Piper	Registration No. (Attorney/Agent)	39,800	Telephone	(972) 731-2288
Signature				Date	9/3/2004

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